



DECISION NOTICE

2300 Lake Elmo Drive
Billings, MT 59105

June 19, 2006

TO: Environmental Quality Council
Director's Office, Dept. of Environmental Quality
Montana Fish, Wildlife & Parks*
Director's Office
Parks Division
Fisheries Division
Wildlife Division
R5 Citizens Advisory Council
Mike Volesky, Governor's Office *
Sarah Elliott, Press Agent, Governor's Office*
Montana Historical Society, State Preservation Office
Janet Ellis, Montana Audubon Council
Montana Wildlife Federation
Montana State Library*
George Ochenski
Montana Environmental Information Center
Wayne Hirst, Montana State Parks Foundation
FWP Commissioner Shane Colton
Sharon Moore, DNRC Area Manager, Southern Land Office
Carbon County Commissioners
Yellowstone Valley Audubon
ZooMontana
Montana Stockgrowers
Montana Prairie Dog Working Group*
Montana Natural Heritage Program*
Montana Department of Transportation-District 5

* (Sent electronically)

Ladies and Gentlemen:

Please find attached the decision notice and summary of public comment for the Environmental Assessment for White-tailed Prairie Dog Translocation prepared by Montana Fish, Wildlife and Parks. The draft Environmental Assessment (EA) has been prepared jointly by the Bureau of Land Management (BLM) and Montana Fish, Wildlife & Parks (FWP).

The draft EA was released for public comment on May 11, 2006. Its release was announced in a

FWP press release, distributed to Montana media via the Associated Press (newspapers, television, radio stations, magazines and individual news people) and to individuals and organizations that have requested to be included on FWP's distribution list); posting of the press release (http://fwp.mt.gov/news/article_4541.aspx) and EA (http://fwp.mt.gov/publicnotices/notice_1099.aspx) on FWP's website; publishing of a legal notice in the May 13 issue of the Billings Gazette, May 18 issue of the Carbon County News and May 17 issue of the Helena Independent Record; and registered letters mailed to over 100 landowners who own land within a 6-mile radius of each of the 5 potential receiving sites for translocated prairie dogs. Comments were received from 8 individuals.

Based upon the analysis of alternatives presented in the draft Environmental Assessment, public comment received on the proposal and the responsibilities that Montana FWP and the Bureau of Land Management have to ensure perpetuation of a viable population of white-tailed prairie dogs in Montana, it was the decision of Mr. Gary Hammond, Region 5 Supervisor, to proceed with Alternative C. This decision concurs with the Record of Decision on the Environmental Assessment prepared by the BLM-Billings Field Office (www.mt.blm.gov/bifo).

No modifications have been made to the draft EA based on public comment. The draft EA, together with this decision notice, will serve as the final proposal/Environmental Assessment for the proposed white-tailed prairie dog translocation.

As per ARM 12.9.1050, there is a 30-day Appeal Process to this decision. The appeal must respond to the proposal deficiencies or inconsistencies cited in the regional supervisor's decision on the proposal, submitted to the Director of Montana Fish, Wildlife & Parks at 1420 E. 6th Avenue, P.O. Box 200701, Helena, Montana, 59620-0701.

Questions on the white-tailed prairie dog translocation project may be directed to Allison Puchniak (FWP, 406-247-2966; apuchniak@mt.gov) or Jay Parks (BLM, 406-896-5244; jayson_parks@blm.gov).

Sincerely,

Allison

Allison Puchniak
Native Species Biologist
Montana Fish, Wildlife and Parks
2300 Lake Elmo Drive
Billings, Montana 59105

(406) 247-2966
apuchniak@mt.gov

DECISION NOTICE

ENVIRONMENTAL ASSESSMENT

White-tailed Prairie Dog Translocation

Background

The Montana Department of Transportation has initiated reconstruction of a stretch of Highway 72, between the Wyoming/Montana line and Belfry, Montana. Highway reconstruction is expected to result in the loss of 3 of the remaining 10 active white-tailed prairie dog colonies in Montana. Montana's white-tailed prairie dog population has declined from 15 colonies occupying an estimated 773 acres in the 1970s, to 10 colonies occupying an estimated 253 acres in 2005. As stated on page 27 of the 2002 *Conservation Plan for Black-tailed and White-tailed Prairie Dogs in Montana* (<http://fwp.mt.gov/fwppaperapps/wildthings/pdconsplan.pdf>) the risk of losing this native species is high. The loss of colonies during the past 30 years is attributed to conversion of shrub/grassland habitats and sylvatic plague. Montana's prairie dog conservation plan envisioned the use of translocation to re-establish historically occupied colony sites as a means of ensuring perpetuation of the white-tailed prairie dog in Montana.

Both Montana FWP and BLM have responsibilities to perpetuate native wildlife species and their habitats. Like black-tailed prairie dogs, white-tailed prairie dogs create habitat for a variety of other wildlife species, including burrowing owls, ferruginous hawks and golden eagles. Given the recent downward trend in Montana's small white-tailed prairie dog population and the importance of white-tailed prairie dogs to other wildlife species, Montana FWP and the Billings Field Office of the BLM proposed translocation of the prairie dogs that would otherwise be lost as a result of highway reconstruction. These white-tailed prairie dogs would be translocated to historically occupied colony sites on BLM lands that are currently vacant (Alternative B). Alternative C would provide for additional translocations of white-tailed prairie dogs from thriving populations in Montana and Wyoming, to other vacant colony sites and to small colonies for which augmentation may help ensure their persistence over the long-term.

Description of Alternatives Considered

- A) No Action. It is not known how many of the estimated 150 affected white-tailed prairie dogs would escape being crushed or entombed by earth-moving equipment, where such dislocated survivors might end up, whether they could survive in new locations, or whether their presence in such new locations would be acceptable to surrounding landowners.
- B) Translocation of the estimated 150 white-tailed prairie dogs immediately at risk of loss during highway reconstruction, to historically but currently unoccupied colony sites on BLM land within Carbon County. These individuals would be removed from 3 colony sites within the highway right-of-way in mid- to early July 2006 and released at 1 unoccupied receiving site.
- C) (Preferred Alternative) Translocation of the estimated 150 white-tailed prairie dogs immediately at risk of loss during highway reconstruction, to historically but currently

unoccupied colony sites on BLM land within Carbon County. These individuals would be moved from 3 colony sites within the highway right-of-way, in mid- to early July 2006 and released at 1 unoccupied receiving site. This alternative provides for an additional 300 white-tailed prairie dogs to be translocated during the period 2007-2011, from thriving colonies in Montana and Wyoming to historically occupied colony sites and small colonies in need of augmentation, on BLM lands in Carbon County.

Public Process and Comment

The draft EA was released for public comment on May 11, 2006. Its release was announced in a FWP press release, distributed to Montana media via the Associated Press (newspapers, television, radio stations, magazines and individual news people) and to individuals and organizations that have requested to be included on FWP's distribution list); posting of the press release (http://fwp.mt.gov/news/article_4541.aspx) and EA (http://fwp.mt.gov/publicnotices/notice_1099.aspx) on FWP's website; publishing of a legal notice in the May 13 issue of the Billings Gazette, May 18 issue of the Carbon County News and May 17 issue of the Helena Independent Record; and registered letters mailed to over 100 landowners who own land within a 6-mile radius of each of the 5 potential receiving sites for translocated prairie dogs.

Comments were received from 8 individuals. Public comment could be categorized under 7 headings. We received comments favoring the No Action Alternative (4), comments indifferent to or in support of Alternative B or C (2), comments on the public process and comment period (2), as well as questions relating to sylvatic plague (2), animal welfare (1), inquiries on public comments (1), and questions about the future impacts of translocation (1). We have provided responses to the questions posed by landowners in the comment summary. Individual comments and FWP responses are included in the Final EA. Prairie dog management actions often elicit strong polarized reactions from stakeholders. However, the small number of specific comments received in response to widespread distribution of this EA indicates general public acceptance of the translocation proposal.

Decision

Based upon the analysis of alternatives presented in the draft Environmental Assessment, public comment received on the proposal and the responsibilities that Montana FWP and the Bureau of Land Management have to ensure perpetuation of a viable population of white-tailed prairie dogs in Montana, it is my decision to proceed with Alternative C. This decision concurs with the Record of Decision on the Environmental Assessment prepared in conjunction with BLM-Billings Field Office.

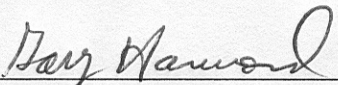
Given the current timeframe, I do not see the need to approve an early date for the proposed translocation. The translocation can proceed after the July 1 date identified in the Translocation ARM, and following a 30-day Appeal Period.

No modifications have been made to the draft EA based on public comment. I find there to be no significant detrimental impacts to the human and physical environments associated with the

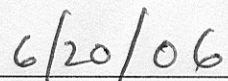
No modifications have been made to the draft EA based on public comment. I find there to be no significant detrimental impacts to the human and physical environments associated with the proposed translocation that would trigger the need to conduct an Environmental Impact Statement (EIS). I conclude that the draft EA provided an appropriate level of analysis. The draft EA, together with this decision notice, will serve as the final proposal/Environmental Assessment for the proposed white-tailed prairie dog translocation.

As per ARM 12.9.1050, there is a 30-day Appeal Process to this decision. The appeal must respond to the proposal deficiencies or inconsistencies cited in the regional supervisor's decision on the proposal, submitted to the Director of Montana Fish, Wildlife & Parks at 1420 E. 6th Avenue, P.O. Box 200701, Helena, Montana, 59620-0701.

Questions on the white-tailed prairie dog translocation project may be directed to Allison Puchniak (FWP, 406-247-2966) or Jay Parks (BLM, 406-896-5244).



Gary Hammond
Regional Supervisor, Region 5



Date

Montana Fish, Wildlife & Parks
2300 Lake Elmo Dr.
Billings, MT 59105

Summary of Comments received on Proposed White-tailed Prairie Dog Translocation:

The Draft Environmental Assessment (EA) proposing White-tailed Prairie Dog Translocation in Carbon County, was released on May 12, 2006, and the public comment period ended June 12, 2006.

A Legal Notice describing the EA was published in the Helena Independent Record, Billings Gazette, and Carbon County News on May 17, May 13, and May 18, 2006, respectively. FWP and BLM mailed over 100 certified letters to landowners within a 6-mile radius of the Receiving Areas, and a press release (May 11, 2006) was provided to the Montana media, via the Associated Press (AP). The EA was also sent out to a regional stakeholder list and parties known to be interested in prairie dog issues (including the more than 100 members of the Montana Prairie Dog Working Group).

We received 8 public comments via phone, email and hard copy. In general, the comments could be categorized as landowners with questions but without specific concerns, and landowners concerned by the idea of having prairie dogs relocated near their property. Comments fell under 7 headings, followed by our responses (below). A double-slash (//) is used to separate similar comments received by different parties. Responses from FWP are indicated in italics. Comments that were editorial in nature were not included.

1. Comments in support of Alternative B or C (Translocation of WTPDs):

Landowner owns 160 acres in the area and has no concerns. // I didn't see anything in the EA that disturbs me greatly. The highway will be widened. This is a fact. The existing colonies in these areas must be moved immediately otherwise they will be shortly dead. And I agree that the colonies need to be relocated.

FWP acknowledges these comments.

2. Comments in support of Alternative A (No Action):

Landowner (owns 3 sections) is concerned with prairie dogs wanting to move onto his irrigated land east of Frannie, Wyoming. // My input would be to do nothing, no relocation needed. // Concerning the prairie dogs and reconstruction of Hi way 72: Follow Alternative A is my advice. The prairie dogs will relocate, and any other plan is costly, the monies can be used in better ways. // I would like it on record that I am totally opposed to this project.

FWP acknowledges these comments. Please note that if Alternative B or C is chosen, the Translocation Protocol does include a Conflict Resolution Plan in the unlikely event that translocated white-tailed prairie dogs move off the intended receiving area.

3. Comment Period and Public Meeting:

We received a phone call today telling of a rumor that there was consideration to relocating prairie dogs to state/BLM land in Carbon County near our property. We have not received fair

notice of this proposal. // I may be interested in a public meeting.

A certified letter was sent to each landowner within a 6-mile radius of the 5 identified receiving areas. Due to some changes in landownership within 1 month of the release of the EA, there was a delay in receipt of the document by new landowners. We could not have anticipated changes in real estate ownership, but did our best to re-route 'return to sender' letters to updated addresses in a timely manner. We also published a Legal Notice in the Billings Gazette, Helena Independent Record, and Carbon County News, issued a news release, and posted the EA and news release on the FWP website. We mailed notice to interested parties (e.g. Prairie Dog Working Group, FWP Commission Chair and Region 5 Citizens' Advisory Council), in addition to the certified letters to landowners, to notify any interested parties of our proposal. We responded to questions concerns expressed by 2 individuals during the comment period. Only one individual expressed interest in a public meeting. Given the few comments we had received, we offered to meet with that individual in person, but did not receive a response from him.

4. Have you been contacted by the bentonite companies?

Not directly. We did have one conversation with a consultant for a quarry (see number 6) who stated that further comments would be provided if mine managers had concerns but we did not receive further comment.

5. Plague Concerns:

What about the effect of plague on the rodents themselves? What if the fleas are still in the burrows themselves, or still heavily invested in the area? // Could you further address the specifics of the sylvatic plague and its effect on other wildlife and domestic animals? Is there further information on the plague and its potential for transmission to other species? Is there a plan to monitor the diseases' state? What effects do you see if they are located near residences and domestic cats/dogs?

Plague experts cannot definitively answer all questions regarding the reservoir of plague inbetween 'outbreaks.' However, black-tailed prairie dogs have been translocated onto historically 'plagued-out' colonies with great success. We are optimistic that adherence to protocol in the Prairie Dog Translocation ARM rules, including plague precautions, that the project will not inadvertently spread plague, or put translocated prairie dogs at risk of plague at the receiving sites.

Our translocation proposal does included pre-translocation monitoring for signs of plague, as well as post-translocation monitoring to gauge our success and the health of the newly established colony.

Sylvatic plague is caused by the bacterium, Yersinia pestis, that was introduced into North America in the early 1900s. There are documented cases in 76 species of mammals in the U.S. including: bobcats, antelopes, domestic cats, rock squirrels, wood rats, chipmunks, prairie dogs, deer mice, voles, tree squirrels and rabbits. Domestic cats can be readily infected by fleas or from eating infected animals, although the occurrence of plague in cats is rare. However, it is

possible (although extremely rare) for domestic cats to bring plague into contact with humans. There is little evidence to suggest that domestic dogs, cattle or horses are readily infected.

6. Future Impacts of Translocation:

Are white-tailed prairie dogs a Species of Concern? Will this negatively impact future applications for DEQ permits for the quarries in the area?

The white-tailed prairie dog is a Species of Concern. This is an informal designation that is used by FWP to prioritize resources for survey work and management effort. We cannot speak to DEQ's decision-making regarding permits, but the purpose of this project is to perpetuate white-tailed prairie dogs in Montana at historically occupied sites with compatible land uses. Please note that if Alternative B or C is chosen, the Translocation Protocol does include a Conflict Resolution Plan in the unlikely event that translocated white-tailed prairie dogs move off the intended receiving area.

7. Prairie Dog Welfare:

What if rattlesnakes have taken up residence in the abandoned burrows? Will the 'soft release' cages prevent successful escape of the prairie dogs from their natural predator the rattlesnake?

Rattlesnakes are natural predators of prairie dogs, and prairie dogs have natural means of trying to avoid becoming prey. Given the fact that the receiving sites have long been unoccupied by prairie dogs and wildlife species that make their homes in burrows within active prairie dog colonies (prey) we do not expect much rattlesnake activity at those sites during the translocation. It is also worth noting that although we believe that subterranean burrow structure is still present, we will be manually opening up burrow openings for the prairie dogs prior to their release.

If we reintroduce 'new' prairie dogs within the active colony, that by itself could 'disturb' the prairie dogs already in residence. How aggressive would the 'new' recruits be toward the original inhabitants?

Our proposal for 2006 is to release the white-tailed prairie dogs on historically occupied, but currently vacant prairie dog towns. We intend to release related prairie dogs together, and members of the same colony in the approximate spatial arrangement in which they were captured. This will reduce the amount of social stress that translocated individuals will experience and shorten the time it will take them to renovate old burrows and acclimatize to their new location. Under Alternative C (augmentation of currently occupied colonies) we would release translocated prairie dogs onto the outside boundaries of the active colony in order to minimize social stress.

What if the previous prairie dogs left the area due to some factor that was lacking that was necessary for the healthy maintenance of this colony (food or nutrient factor)?

As mentioned above, vacated black-tailed prairie dog colonies have been used as receiving areas previously, and although these are valid concerns, we are confident in our experts' opinions that the selected receiving sites will be adequate locations for the successful re-establishment white-tailed prairie dogs.

May 12, 2006

LEGAL NOTICE

A draft Environmental Assessment (EA) has been prepared jointly by the Bureau of Land Management (BLM) and Montana Fish, Wildlife & Parks (FWP) that proposes translocation of white-tailed prairie dogs at risk of loss due to highway construction. White-tailed prairie dogs removed from the 3 colony sites within the Highway 72 corridor will be released at 2 historically occupied colony sites on BLM lands in Carbon County. The preferred alternative proposes additional translocations of white-tailed prairie dogs during the next 5 years to augment or re-establish historically occupied colony sites on BLM lands in Carbon County. The proposed translocation will follow specific protocols spelled out in Administrative Rules of Montana (<http://161.7.8.61/12/12-951.htm>). Details regarding methodology and proposed alternatives can be found in the EA.

Questions and comments will be accepted through June 12, 2006. If you would like to provide your comments during an open house, please contact Jay Parks (406-896-5244) or Allison Puchniak (406-247-2966). The EA can be viewed at www.mt.blm.gov/bifo or www.fwp.state.mt.us under Public Notices. Additional paper copies can be requested by mail from the BLM, Billings Field Office, at (406) 896-5013 or Region 5, FWP, at (406) 247-2940.

Please send any written comments by mail to: Allison Puchniak at Montana Fish, Wildlife & Parks, 2300 Lake Elmo Drive, Billings MT 59105 or to Jay Parks at BLM, Billings Field Office, 5001 Southgate Drive, Billings, Montana 59101; or by e-mail to apuchniak@mt.gov or jparks@blm.gov.

NEWS RELEASE

DATE: May 11, 2006

Contact: Allison Puchniak 406-247-2966

Heidi Youmans 406-444-5674

An environmental assessment proposing the translocation of white-tailed prairie dogs along a stretch of Highway 72 slated for construction this summer has been released by Montana Fish, Wildlife and Parks (FWP), and the Bureau of Land Management (BLM) for public comment.

The cooperative effort between the agencies would move up to 150 white-tailed prairie dogs this summer from their current location along Highway 72 near the Wyoming border to historic but unoccupied colonies on BLM lands in Carbon County. The program could extend for

five years, with as many as 300 additional white-tailed prairie dogs being translocated from Wyoming.

“This is a great opportunity to work with other stakeholders to conserve one of Montana’s most unique and seldom-seen native wildlife species,” said Allison Puchniak, native species biologist with Fish, Wildlife and Parks. “It makes sense to re-establish currently vacant colonies using prairie dogs that would otherwise be lost to the population as a result of highway reconstruction.”

Alternatives considered in the assessment are:

- A. No action.
- B. Translocation of about 150 white-tailed prairie dogs immediately at risk of loss due to Hwy 72 construction.
- C. Translocation of the 150 prairie dogs along the highway right-of-way and translocation of up to 300 additional white-tailed prairie dogs to re-establish extirpated colonies on BLM lands over a 5-year period.

Option C is the preferred alternative, and would be partially funded by Nongame Tax Checkoff dollars. “We are making efforts to keep our costs to a minimum by engaging volunteers, borrowing traps, and by working together with the BLM and Department of Transportation,” said Puchniak.

There are two species of prairie dogs in Montana, the white-tailed and the black-tailed prairie dogs. White-tailed prairie dogs differ from the very social black-tailed prairie dogs in the following ways:

- They do not alter aboveground vegetation like black-tailed prairie dogs do, making white-tailed prairie dog colonies less noticeable on the landscape.
- They spend almost half of the year under ground, hibernating four to five months in the winter and aestivating for a month or more during the hottest part of the summer.
- They are the least colonial of the prairie dog species and thus occur at a much lower density than black-tailed prairie dogs.

The white-tailed prairie dog has long been considered a “Species of Concern” in Montana and the total population has declined from 773 acres in the 1970s to 253 acres according to the most recent survey in 2005. Healthy colonies provide prey and habitat for a variety of wildlife species, including the black-footed ferret, ferruginous hawk, and golden eagles.

More information about white-tailed prairie dogs is available in FWP’s online field guide at www.fwp.mt.gov.

The environmental assessment is posted at www.fwp.mt.gov under Public Notices or at www.mt.blm.gov/bifo. The comment period ends June 12, 2006. Comments or questions can be submitted to Allison Puchniak (FWP) at Region 5 FWP, 2300 Lake Elmo Drive, Billings, MT 59105, or apuchniak@mt.gov; and to Jay Parks, BLM Billings Field Office, 5001 Southgate Drive, Billings, MT 59101 or jparks@blm.gov. If you would like to submit your comments during a public meeting please call Jay Parks (406-896-5244) or Allison Puchniak (406-256-7800). Paper copies are available from BLM (406-896-5013) or FWP (406-247-2940).